

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James F. Hainfeld, et al. **Examiner:** Christine D. Hopkins

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For: METHODS OF ENHANCING
RADIATION EFFECTS WITH
METAL NANOPARTICLES **Dated:** December 18, 2008

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Commissioner for Patents
United States Patent and Trademark Office
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER

Sir:

NanoProbes, Inc., having a current principal place of business at 95 Horseblock Road, Yaphank, New York 11980-9710, and the owner of the entire right, title and interest in the above-identified application and U.S. Patent No. 6,955,639 and U.S. Patent No. 7,367,934, as evidenced by Assignment recorded at Reel 015658, Frame 0928 and Reel 015655, Frame 0856 from the inventors to NanoProbes, Inc., hereby disclaims the terminal portion of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and 173 of either of the commonly assigned U.S. Patent No. 6,955,639 or U.S. Patent No. 7,367,934, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to the patent shall be the same as the legal title to said U.S. Patent No.

6,955,639 and U.S. Patent No. 7,367,934, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

The commissioner is authorized to charge the fee in the amount of \$70.00 associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP.

Respectfully submitted,



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